



**REGULAR MEETING
MINUTES OF ACTIONS
Wednesday, August 28, 2013
Art Pick Council Chambers
3900 Main Street, Riverside, CA**

4:00 PM – CASE REVIEW

Case Review Roll Call

Rotker	Hawkins	Ybarra	Taylor	Ortiz	Jackson	Roberts	Maciel	Adams
✓	✓	✓	✓	B	✓	✓	O	✓

✓ = Present **B** = Absent / Business **S** = Absent / Sick **V** = Absent / Vacation **O** = Absent / Other
UE = Absent / Unexcused **L** = Late **LE** = Left Early ■ = Vacant

STAFF: Frank Hauptmann, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comment

This is an opportunity for members of the public to address the Commission on closed session items.

There were no public comments regarding closed session items.

Closed Session – Case Review

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:00 PM to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

	CPRC CASE NO.	RPD CASE NO.
1)	11-038	PA-11-11048
2)	12-017	PA-12-06022
3)	13-013	PC-13-04023
4)	13-014	PC-13-05028
5)	13-017	PC-13-05031

The Commission recessed at 5:30 PM to reconvene in the Regular Meeting.

REGULAR MEETING – 5:30 PM

PLEDGE OF ALLEGIANCE

Regular Meeting Roll Call

Rotker	Hawkins	Ybarra	Taylor	Ortiz	Jackson	Roberts	Maciel	Adams
✓	✓	✓	✓	B	✓	✓	O	✓

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STAFF: Frank Hauptmann, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comments

Public comment on any subject matter within the Commission's jurisdiction.

There were no public comments.

Approval of Minutes

Minutes for Approval	Motion	Second	Approve	Oppose	Abstain
A) July Regular Meeting	Rotker	Taylor	Unanimous	0	0

Outreach

A) August Outreach

Commissioner Adams:

- July 26 – "Dreamscape" at UCR
- August 6 – National Night Out at the Goeske Center
- August 24 – Walk with the Mayor

Commissioner Ybarra:

- August 14 – RCPA meeting

Commissioner Hawkins:

- August 6 – National Night Out at Villegas Park
- August 14 – Casa Blanca Community Action Group

Commissioner Taylor:

- August 3 – National Night Out opening event at Target on Tyler Avenue
- August 6 – went to several National Night Out event locations
- August 24 – Keep Riverside Clean and Beautiful – Riverwalk area

Commissioner Rotker:

- Attended Councilmember Chris MacArthur's annual Ward 5 Constituents' BBQ

Vice-Chair Jackson:

- August 6 – National Night Out: 3 locations
- August 14 – Casa Blanca Community Action Group

- August 15 – Conflict Resolution Training
- August 23 – CIONO Backpack Giveaway, Stratton Community Center

Chairwoman Roberts:

- August 5 – NACOLE Finance Meeting
- August 17 – Battle of the Badges at Pala Casino

Ms. Sherron:

- August 6 – National Night Out: 3 locations

B) Scheduled Outreach Events

- 1) Mayor's Night Out: Changed to September 11 at Arlanza Elementary School
- 2) Golden Badge Awards – September 7 at 5:30 PM, Riverside Municipal Auditorium
- 3) Hometown Heroes Honor Run – October 12, Arlington Heights Sports Park
- 4) Riverside Neighborhood Conference – October 19, Riverside City College

Commissioner Adams:

- noted that Mayor's Night Out on September 11 conflicts with the September Regular Meeting and asked if one commissioner should attend so that someone from the Commission there.
 - Chairwoman Roberts said she believed that commissioners should attend the CPRC meeting because they have committed to being there.
- September 7 – Golden Badge Awards
- September 10 – Dedication of the Ronald Loveridge Plaza
- October 12 – Hometown Heroes Honor Run
- October 19 – Riverside Neighborhood Partnership and Walk with the Mayor

Commissioner Adams also reported that she:

- had not yet spoken with Mr. Todd Rounds regarding his outreach proposal involving MLK High School.
- had the list of neighborhood meetings divided by wards and would try to have it ready for distribution at the September meeting.

Commissioner Taylor said that he, along with Commissioners Ybarra and Hawkins are going to play in the RPOA's Charity Golf Tournament on September 27.

C) Future Outreach Opportunities

- 1) Input from Outreach Coordinator on upcoming outreach events
- 2) Input from Commission Members on potential outreach events

Commissioner Adams had no additional items for future outreach.

OLD BUSINESS

Ledezma Officer-Involved Death (OID) Case Evaluation

Continue discussion and action, if any, on the Ledezma OID case evaluation. The Commission has continued its evaluation in Stage II (Fact Finding, Request for Training & Investigation) and has moved to Stage III (Policy and Procedure Process). The Commission may return to discussion of completed Stages, if needed.

Chairwoman Roberts opened this item for discussion.

Commissioner Taylor:

- asked if the premise history had been given to the officers by the dispatcher.
 - Mr. Hauptmann said the dispatch audio was not released and no premise history was given to the responding officers.

Commissioner Rotker:

- noted that he had asked at the last meeting if there was a tox report and if information could be obtained as to whether Mr. Ledezma was under the influence.
 - Mr. Hauptmann said the tox report is not available for public review.
- said that the Chair was concerned that this information was available in the Pablo case, but not this one.
 - The information in the Pablo case did not come from the coroner, but from the hospital.
- Has it been determined if the other two officers had Tasers?
 - No, but will get that answered and send the response to everyone as soon as possible.

Chairwoman Roberts:

- asked that Ms. Sherron note all questions asked and review them at the end of item discussion.
- advised the Commission that they would be moving on to Stage III.

Commissioner Rotker:

- said he was concerned about how the incident took place, but did not see any policy concerns.
- said that the actions of officers were based on their perception of what was happening.

Commissioner Taylor:

- said he agreed with Commissioner Rotker, but that he would like to look into a policy recommendation regarding Dispatch's broadcasting of a premise history, if known, especially when there's a history of a violent offender who is primary to the call.
- added that a call of this nature should be routed to that area's field supervisor, not necessarily for them to respond, but to alert them that their personnel are en route to a location that is known for violence.
- said he reviewed the policy, but felt it could be more complete as he had not seen anything regarding premise history.

Chairwoman Roberts:

- advised that if a commissioner has a policy recommendation to suggest, that commissioner should draft those recommendations and then bring it to the Commission for discussion
- asked Mr. Hauptmann to find out if there is anything in RPD's policies regarding Dispatch advising responding officers of premise history.

Vice-Chair Jackson:

- Reiterated her comments from the previous meeting about why one officer pulled his Taser while the other two officers felt it necessary to pull their guns.
- Noted from her review of various case file reports that:
 - the officer who pulled the Taser said he saw one of the other officers' pulling his gun so he felt he could pull his Taser.
 - the explorer and a neighbor said the shooting happened after the first pipe was thrown, while officers said the shooting happened after the first pipe was thrown, but as Mr. Ledezma attempted to throw a second pipe.
 - the explorer's attention was divided between family members and the officers. He said that Mr. Ledezma lifted his shirt, which may have alerted the officers into thinking that Mr. Ledezma was going to pull a gun.
 - the family was much more honest in what they said in the beginning than what they said later on.
 - the evidence placards were moved by the wind and had to be replaced.
 - both pipes look like they are metal. In the pictures, one pipe is sitting on a trailer and is said to be the second pipe. How did it go from Mr. Ledezma's hands to the ground and then to the trailer? Can't find anything that mentions how it ended up on the trailer.

Chairwoman Roberts said the next meeting would be held on September 11th and discussion would begin on Stage IV, Deliberations and Findings. She also noted that commissioners could start writing their rationales if they felt ready to do so.

Dunbar Officer-Involved Death (OID) Case Evaluation

Continue discussion and action, if any, on the Dunbar OID case evaluation. The Commission is continuing in Stage I (Commission Member Review) and Stage II (Fact Finding, Request for Training & Investigation). The Commission may return to discussion of completed Stages, if needed.

Chairwoman Roberts opened the item for discussion on Stages I and II.

Commissioner Rotker:

- Said that he had asked about the cause of death at the previous meeting.
 - Mr. Hauptmann said that information is confidential and not available for public review. He said that the only information that is available is what was written by the detective who attended the autopsy.
- Asked Mr. Hauptmann if he knew why he was asking this question.
 - Mr. Hauptmann asked if he wanted know if Mr. Dunbar bled to death. He also said that the Commission needs to determine whether or not the officer's use of deadly force was justified. The information available in the Pablo case did not come from the coroner, but came from the hospital.
- In a hypothetical situation, if an individual is shot and the officer sees blood coming from a wound, what does an officer then do?
 - Mr. Hauptmann said that officers will provide any aid they can give prior to medical aid arriving. They are trained to give basic medical aid and can maintain the wound as best they can until medical aid arrives. The Commission has to determine whether or not the officers' actions were justified in using deadly force. While that is the determination the Commission has to make, medical aid might be addressed in a different way.

Chairwoman Roberts:

- noted that, first and foremost, the Commission has to decide whether or not the officer's actions were within policy.
- After this, the Commission could make a policy recommendation that officers provide first aid so that a suspect doesn't die.

Commissioner Rotker:

- noted that if this concern falls under a possible policy recommendation, the information needed is not currently available.
 - Mr. Hauptmann noted that policy recommendations can be made based on closed session information.
- asked if this wasn't a potential item for a policy recommendation and something for this section in the report.
 - Mr. Hauptmann responded that for the public report, it could be mentioned that the Commission had concerns about the level of medical aid officers can give.
- asked what if, hypothetically, the coroner's report said that the suspect bled to death.
 - Mr. Hauptmann said he didn't think that would happen. A homicide expert might be able to answer the question or I could have a pathologist come to the meeting to answer your questions.
- asked that if the evidence showed that officers made an attempt to render aid to the suspect, would that be under the heading of a policy recommendation.
 - Mr. Hauptmann said it could. If the Commission believes that is the case, they can express those concerns in their report to the City Manager and Chief of Police.

Chairwoman Roberts:

- As the case is reviewed, a picture will form as to what actually happened. If it is believed there needs to be a policy recommendation, that can be brought up in open or closed session.

Commissioner Hawkins:

- Are officers required to render aid in an officer-involved shooting?
 - If it is safe to do so. It depends on the agency's policy. Some say they must render aid until EMTs arrive, but would have to look at RPD's policy and can research and respond.

- If an officer is not trained to provide medical aid, would that compromise the police department?
 - It could if the officer tries to do something he's not trained to do.

Chairwoman Roberts asked if there was any additional discussion. As there was not, she asked Mr. Hauptmann if the fact sheet had been completed. He said he should have it done early in the next week. She ended discussion noting that they would continue discussion in Stages I and II, but that commissioners could move on to Stage III.

NEW BUSINESS

Annual Review of the City's Code of Ethics

Discussion and action, if any, on recommendations or inclusion of new values or procedures in the City's Code of Ethics for elected officials and members of appointed boards, commissions, and committees. Per Resolution No. 22461, the Governmental Affairs Committee will hold the required annual review of the Code of Ethics with the Mayor, City Manager, City Attorney, and the Chairs of all Boards and Commissions. This meeting will be held on September 4, 2013, at 4 PM in the Mayor's Ceremonial Room. The City Council's public hearing on the resultant report is scheduled for September 24, 2013, at 7 PM in the Art Pick Council Chamber.

Chairwoman Roberts noted that she had received no suggested changes or modifications for the City's Code of Ethics. In view of that, she said she would not attend the meeting on September 4th.

Commissioner Rotker asked if she was aware of any suggestions being submitted by any of the other boards or commissions and if those suggestions would be available to the public. Chairwoman Roberts said that the meeting on September 4th would address any suggested changes or modifications.

Commissioner Rotker then asked if those questions or modifications would be on that agenda. Chairwoman Roberts said they would be on the September 24th City Council agenda.

Staff Report

Mr. Hauptmann reported on the CPRC budget and expenditures as of August 28, 2013:

- Total CPRC Appropriation: \$300,994
- Current Available Balance: \$170,529.98

Significant Expenditures to date:

- 2013 NACOLE Conference: \$5,248.80 – registration, airfare, and hotel.
- AELE Seminar: \$3884.68 – registration and hotel.
- Golden Badge: \$1,800 – 2 tables.
- Computers: \$5,021.35 – last 4 computers and new wi-fi access point for boardroom.

Chairwoman Roberts:

- How much is in Professional Services?
 - \$150,000, which includes my pay.

Commissioner Adams:

- What, again, is the available balance?
 - Current available balance is \$170,529.98.

Commissioner Taylor:

- What is the fiscal year?
 - July 1st through June 30th.
- Is the Commission's budget available online?
 - It should be, but this information can be provided to the Commission.

Chairwoman Roberts agreed that it should be available to the public, but that commissioners would probably get it more easily if provided by staff.

Commission Member Comments

Pursuant to Government Code Section 54954.2, Commission members may use this time to make brief announcements or a brief report on their own activities.

Vice-Chair Jackson:

- informed the Commission that a site tour relating to the NACOLE 2015 RFP had been scheduled for October 10. She again suggested creating an ad-hoc committee to help with the RFP and asked that it be agendaized for discussion at the next meeting.
- asked Mr. Hauptmann if there was anything in the IA course he teaches that would benefit commissioners either by attending the class or having a presentation made to the Commission.
 - Mr. Hauptmann said yes, it could be beneficial for commissioners as it would give them a better idea of the IA processes.
- asked who hosts the class.
 - Mr. Hauptmann said that Cal State Long Beach hosts. The program is designed for entry level IA. It may be possible to attend whole class, but it would need to be cleared with the other two instructors. Attending my portion is no issue, but it, too, would need to be cleared with the others. Most who attend the course are first-line supervisors or managers. If any of you are interested, let me know. The class is now presented at a hotel by John Wayne airport. The class could also be called outreach because I do talk about CPRC and its history.

Chairwoman Roberts asked about the cost to take the class. Mr. Hauptmann said he believed it is \$300.

Items for Future Commission Consideration

There were no items for future Commission consideration.

Adjournment

The Commission adjourned at 6:50 PM.

Respectfully submitted,



PHOEBE SHERRON
Sr. Office Specialist

08-28-13 Minutes – Aug Regular